

### **Remarks**

The specification has been amended by deleting the last three paragraphs of the Background of the invention-Objects and Advantages section. In view of the deletion of claims to which these paragraphs refer, these paragraphs are no longer relevant, and were therefore deleted.

Claims 1 through 4 have been rewritten and narrowed as new claims 13 to 16 to more particularly define the invention in a patentable manner over the cited prior art.

**The applicant respectfully submits that by careful examination of the strip failure mechanism of common prior art plastic shelf strips affixed to retail shelving as described in the original application's "strip failure mechanism" section, the combination of blending the corners of the strip with this failure mechanism results in a surprising, unanticipated improvement of strip longevity. This new and unexpected result reduces the problem of corner catching and snagging which in other prior arts leads to comparatively faster strip failure. This has never been recognized or addressed, even in this crowded field of many patents. Furthermore, this previously unappreciated advantage of blending of corners is not only not suggested in prior arts, it is contrary to the implied teaching of prior arts which make reference to and imply common extrusion production methods which typically would include a straight guillotine cut at the extreme edges of the strip. Blending of the corners involves awkward and involved steps and complex tooling whose benefits have not been previously questioned or evaluated, and therefore extruded prior arts feature abrupt,**

**perpendicular, snag-prone unblended corners. Additional benefits of the invention include improved safety as snagging can cause injury to passersby, as well as less risk of damaging products that are being moved by passersby and might otherwise risk being snagged on sharp corners.**

**Response to detailed action point 1:** (Misnumbering of claims 8-13): Applicant has deleted these claims which had been renumbered 7-12.

**Response to detailed action points 2 and 3:** (35 USC 112, failure of written description for claims 8-12). These claims have been deleted from the application, hence description assumed no longer needed.

**Response to detailed action points 4,5** (35 USC 102, anticipated by SY-automobile sticker holder), resulting in rejection of original claims 1-3:

Original independent claim 1 has been redrafted into claim 13 to more narrowly define its scope so that the strip described specifically pertains to:

- attachment to the front of retail shelving
- is extruded
- its configuration is **pre formed** into an upwardly **openable** pocket

The applicants invention differs from Sy in that all embodiments of Sy's use attachment means that involve piercing/anchoring through both front and back windows to attach to a fixture or window via suction cups or the like. They all feature slots defined along their vertical geometric edges for this purpose. Therefore once in place, the front window is not hingeable or openable about the integrally joined front and back panels. Further, this would yield his embodiments entirely unsuitable for front of retail shelving applications. The applicant's described embodiments leave the front window hinged along the bottom edge region to provide openable access to the pocket while in-situ.

Further, Sy's embodiments teach away from being extrudable parts. That is, he describes his parts as being made from a single piece of acetate, or vacuum formed, which in either case involves die cutting from a flat sheet or roll. This die cutting method of manufacture is entirely conducive to non-rectilinear cutting such as the embodiments depicted in Sy. Further, the resultant parts are not pre-formed into a pocket, but need to be hand folded into a pocket configuration. The applicants strip is pre-formed into a pocket, therefore implying stiffness to retain the pocket configuration insitu.

Further, due to the relative lack of stiffness associated with Sy's embodiments, plus the applications/placements described such as on automobile windows, the parts are not subjected to any prying/snagging, so that rounding of corners on his parts has little to no effect on longevity of the part. The applicants embodiments by contrast have implied stiffness due to their being extruded and the pocket being pre-formed into a pocket configuration, so when placed on the

edge of shelf, it is subjected to snagging and associated prying forces, with the unexpected and surprising result that snag-free transitional edges reduce these prying effects and increase strip longevity. For these reasons applicant respectfully submits that the invention as now claimed, distinguishes over Sy.

Response to detailed action points 6,7 (35 USC 103, unpatentable over Sy in view of Hawkins-street sign holder), resulting in rejection of original claim 4 : dependent claim 4 has been rewritten as claim 16, which describes the blended bottom corner/edge as being an obtuse intersection.

Applicant's strip is continuously extruded, so therefore the side edge region of panels is open, with panels being hinged at the bottom. Hawkins describes an assembly frame, with closed sides. Applicant's claimed front and back panels are joined integrally along bottom edge region, while Hawkins assembly is not integrally joined. Applicant's strip is openable at the top for removable reception of labels. Hawkins frame assembly is not open at the top, so it must be disassembled for insertion and reception of signage. For these reasons applicant respectfully submits that the invention as now claimed, distinguishes over Hawkins.

Response to detailed action points 8-12 refer to O.A. objections to claims that have since been deleted in this Amendment, so Applicant assumes these objections have in effect been effectively addressed.

### **Conclusion**

For all the reasons given above, applicant respectfully submits that the claims comply with section 112, the claims define over prior art under section 102, as commonly extruded shelf strips in this crowded field feature rectilinear/sharp corners due ease of production methods, and the claimed distinctions are of patentable merits under Section 103 because of the new and unexpected results that blending of bottom corners which reduces snagging effects significantly enhances strip longevity by reducing prying effects that are so instrumental in eventual common strip failure. Accordingly, applicant submits that this application is now in full condition for allowance, which applicant respectfully solicits.

### **Conditional request for Constructive Assistance**

Applicant has amended the specification and claims of this application so that they are proper, definite, and define novel structure which is also unobvious. If for any reason this application is not believed to be in full condition for allowance, Applicant respectfully requests the constructive assistance and suggestions of the Examiner pursuant to MPEP 2173.02 and 707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.

Very respectfully,

  
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